

1 AN ACT

2 AUTHORIZING THE ISSUANCE AND SALE OF CAPITAL PROJECTS GENERAL
3 OBLIGATION BONDS TO MAKE CAPITAL EXPENDITURES FOR SENIOR
4 CITIZEN FACILITY IMPROVEMENTS AND ACQUISITIONS, FOR HIGHER
5 EDUCATIONAL CAPITAL IMPROVEMENTS AND ACQUISITIONS, FOR PUBLIC
6 AND ACADEMIC LIBRARY ACQUISITIONS, FOR KINDERGARTEN CLASSROOM
7 CONSTRUCTION AND RENOVATIONS AND FOR OTHER STATE CAPITAL
8 EXPENDITURES; PROVIDING FOR A TAX LEVY FOR PAYMENT OF
9 PRINCIPAL OF, INTEREST ON AND CERTAIN COSTS RELATED TO THE
10 BONDS; REQUIRING APPROVAL OF THE REGISTERED VOTERS AT THE 2004
11 GENERAL ELECTION OF THE STATE; AMENDING A SECTION OF THE
12 PROJECTS GENERAL BOND ACT PERTAINING TO THE REVERSION OF BOND
13 PROCEEDS; DECLARING AN EMERGENCY.

14
15 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

16 Section 1. SHORT TITLE.--Sections 1 through 14 of this
17 act may be cited as the "2004 Capital Projects General
18 Obligation Bond Act".

19 Section 2. PURPOSE.--For the purpose of providing funds
20 for capital expenditures as authorized in the 2004 Capital
21 Projects General Obligation Bond Act, general obligation
22 indebtedness of the state is authorized for the purposes and
23 in the amounts set forth in Section 10 of that act.

24 Section 3. BOND TERMS.--

25 A. The state board of finance, except as limited

1 by the 2004 Capital Projects General Obligation Bond Act,
2 shall determine the terms, covenants and conditions of bonds
3 issued pursuant to that act, including but not limited to:

- 4 (1) date or dates of issue, denominations
5 and maturities;
- 6 (2) principal amounts;
- 7 (3) rate or rates of interest; and
- 8 (4) provisions for redemption, including
9 premiums, registration and refundability, whether the bonds
10 are issued in one or more series and other covenants relating
11 to the bonds and the issuance thereof.

12 B. The bonds shall be in such form as the state
13 board of finance determines with an appropriate series
14 designation and shall bear interest payable as set forth in
15 the resolution of the state board of finance.

16 C. Payment of the principal of the bonds shall
17 begin not more than two years after the date of their
18 issuance, and the bonds shall mature not later than ten years
19 after the date of their issuance. Both principal and interest
20 shall be payable in lawful money of the United States at the
21 office of the paying agent within or without the state as the
22 state board of finance may direct.

23 D. The bonds shall be executed with the manual or
24 facsimile signature of the governor or the state treasurer,
25 and the seal or a facsimile of the seal of the state shall be

1 placed on each bond, except for any series of bonds issued in
2 book entry or similar form without the delivery of physical
3 securities.

4 E. The bonds shall be issued in accordance with
5 the provisions of the 2004 Capital Projects General Obligation
6 Bond Act, the Supplemental Public Securities Act and the
7 Uniform Facsimile Signature of Public Officials Act and may be
8 issued in accordance with the Public Securities Short-Term
9 Interest Rate Act.

10 F. The full faith and credit of the state is
11 pledged for the prompt payment when due of the principal of
12 and interest on all bonds issued and sold pursuant to the 2004
13 Capital Projects General Obligation Bond Act.

14 Section 4. EXPENDITURES.--The proceeds from the sale of
15 the bonds shall be expended solely for providing money to be
16 distributed for the purposes and in amounts not to exceed the
17 amounts set forth in Section 10 of the 2004 Capital Projects
18 General Obligation Bond Act and to pay expenses incurred under
19 Section 6 of that act. Any proceeds from the sale of the
20 bonds that are not required for the purposes set forth in
21 Sections 6 and 10 of that act shall be used for the purpose of
22 paying the principal of and interest on the bonds.

23 Section 5. SALE.--The bonds authorized under the 2004
24 Capital Projects General Obligation Bond Act shall be sold by
25 the state board of finance at such time and in such manner and

1 amounts as the board may elect. The bonds may be sold at
2 private sale or at public sale, in either case at not less
3 than par plus accrued interest to the date of delivery. If
4 sold at public sale, the state board of finance shall publish
5 a notice of the time and place of sale in a newspaper of
6 general circulation in the state and may also publish the
7 notice in a recognized financial journal outside the state.
8 The required publications shall be made once each week for two
9 consecutive weeks prior to the date fixed for the sale, the
10 last publication thereof to be at least five days prior to the
11 date of the sale. The notice shall specify the amount,
12 denomination, maturity and description of the bonds to be
13 offered for sale and the place, date and hour at which the
14 sealed bids shall be received. At the time and place
15 specified in the notice, the state board of finance shall open
16 the bids in public and shall award the bonds to the bidder or
17 bidders offering the best price for the bonds. The state
18 board of finance may reject any or all bids and readvertise
19 and may waive any irregularity in a bid. All bids, except
20 that of the state, shall be accompanied by a deposit of two
21 percent of the principal amount of the bonds in a form
22 acceptable to the state board of finance. The deposit of an
23 unsuccessful bidder shall be returned upon rejection of the
24 bid. The state board of finance may also sell the bonds or
25 any part of the bonds to the state treasurer or state

1 investment officer. The state treasurer or state investment
2 officer is authorized to purchase any of the bonds for
3 investment. The bonds are legal investments for any person or
4 board charged with the investment of any public funds and may
5 be accepted as security for any deposit of public money.

6 Section 6. EXPENSES.--The expenses incurred by the
7 state board of finance in or relating to the preparation and
8 sale of the bonds shall be paid out of the proceeds from the
9 sale of the bonds, and all rebate, penalty, interest and other
10 obligations of the state relating to the bonds and bond
11 proceeds under the Internal Revenue Code of 1986, as amended,
12 shall be paid from earnings on bond proceeds or other money of
13 the state, legally available for such payments.

14 Section 7. TAX LEVY.--To provide for the payment of the
15 principal of and interest on the bonds issued and sold
16 pursuant to the provisions of the 2004 Capital Projects
17 General Obligation Bond Act, there shall be and there is
18 hereby imposed and levied during each year in which any of the
19 bonds are outstanding an ad valorem tax on all property in the
20 state subject to property taxation for state purposes
21 sufficient to pay the interest as it becomes due on the bonds,
22 together with an amount sufficient to provide a sinking fund
23 to pay the principal of the bonds as it becomes due and, if
24 permitted by law, ad valorem taxes may be collected to pay
25 administrative costs incident to the collection of such taxes.

1 The taxes shall be imposed, levied, assessed and collected at
2 the times and in the manner that other property taxes for
3 state purposes are imposed, levied, assessed and collected.
4 It is the duty of all tax officials and authorities to cause
5 these taxes to be imposed, levied, assessed and collected.

6 Section 8. TREASURER--DUTIES.--The state treasurer
7 shall keep separate accounts of all money collected pursuant
8 to the taxes imposed and levied pursuant to the provisions of
9 the 2004 Capital Projects General Obligation Bond Act and
10 shall use this money only for the purposes of paying the
11 principal of and interest on the bonds as they become due and
12 any expenses relating thereto.

13 Section 9. IRREPEALABLE CONTRACT--AUTHORITY FOR
14 ISSUANCE.--An owner of bonds issued pursuant to the provisions
15 of the 2004 Capital Projects General Obligation Bond Act may,
16 either at law or in equity, by suit, action or mandamus,
17 enforce and compel the performance of the duties required by
18 that act of any officer or entity mentioned in that act. The
19 provisions of that act constitute an irrepealable contract
20 with the owners of any of the bonds issued pursuant to that
21 act for the faithful performance of which the full faith and
22 credit of the state is pledged. Without reference to any
23 other act of the legislature, the 2004 Capital Projects
24 General Obligation Bond Act is full authority for the issuance
25 and sale of the bonds authorized in that act, and such bonds

1 shall have all the qualities of investment securities under
2 the Uniform Commercial Code, shall not be invalid for any
3 irregularity or defect in the proceedings for the issuance and
4 sale of the bonds and shall be incontestable in the hands of
5 bona fide purchasers or holders thereof for value. All bonds
6 issued under the provisions of that act, and the interest
7 thereon, are exempt from taxation by the state and any
8 subdivision or public body thereof.

9 Section 10. PROJECTS.--The proceeds from the sale of
10 bonds issued under the provisions of the 2004 Capital Projects
11 General Obligation Bond Act shall be distributed as follows
12 for the purposes and in the amounts specified:

13 A. for senior citizen facility improvements and
14 construction, to the state agency on aging:

15 (1) forty-three thousand dollars (\$43,000)
16 to make improvements to Los Volcanes senior center in
17 Bernalillo county;

18 (2) sixty thousand dollars (\$60,000) to make
19 improvements to the Barelvas senior center in Bernalillo
20 county;

21 (3) one hundred fifty thousand dollars
22 (\$150,000) to make improvements to the county building for the
23 New Mexico senior citizens olympic program in Chaves county;

24 (4) one hundred thousand dollars (\$100,000)
25 to make improvements to the Pueblo of Acoma senior center in

1 Cibola county;

2 (5) fifty-two thousand dollars (\$52,000) to
3 make improvements to the Melrose senior center in Curry
4 county;

5 (6) seventy-five thousand dollars (\$75,000)
6 to make improvements to the Baxter-Curran senior centers in
7 the Alice Converse complex in Clovis in Curry county;

8 (7) two hundred twenty thousand dollars
9 (\$220,000) to make improvements to the Old Mesilla community
10 senior center in Dona Ana county;

11 (8) one hundred thousand dollars (\$100,000)
12 for improvements to the old Santa Clara senior center in Grant
13 county;

14 (9) one hundred forty thousand dollars
15 (\$140,000) to make improvements to La Loma senior center in
16 Guadalupe county;

17 (10) ninety thousand dollars (\$90,000) to
18 renovate the Lovington senior center in Lea county;

19 (11) one hundred forty thousand dollars
20 (\$140,000) to make improvements to the Hobbs senior center in
21 Lea county;

22 (12) seventy thousand dollars (\$70,000) to
23 make improvements to the Ojo Encino chapter senior center of
24 the Navajo Nation in McKinley county;

25 (13) ninety-five thousand dollars (\$95,000)

1 to make improvements to the Crownpoint senior center of the
2 Navajo Nation in McKinley county;

3 (14) one hundred fifty thousand dollars
4 (\$150,000) to make improvements to the senior center in Chama
5 in Rio Arriba county;

6 (15) three hundred eighty thousand dollars
7 (\$380,000) to complete construction of the Pueblo of Santa
8 Clara senior center in Rio Arriba county;

9 (16) two hundred thousand dollars (\$200,000)
10 to complete the adult daycare center in Rio Arriba county;

11 (17) eighty-three thousand six hundred
12 ninety-three dollars (\$83,693) to make improvements to the Rio
13 Arriba county senior centers in Rio Arriba county;

14 (18) five hundred sixty-two thousand dollars
15 (\$562,000) to make improvements to or construct a senior
16 center in Pecos in San Miguel county;

17 (19) seventy-five thousand dollars (\$75,000)
18 to make improvements to the Pueblo of Santa Ana senior center
19 in Sandoval county;

20 (20) fifty-one thousand six hundred dollars
21 (\$51,600) to make improvements to the Bernalillo senior center
22 in Sandoval county;

23 (21) one hundred twenty-five thousand
24 dollars (\$125,000) to make improvements to the Pasatiempo
25 senior center in Santa Fe county;

1 (22) two hundred twenty-five thousand
2 dollars (\$225,000) to make improvements to El Rancho senior
3 center in Santa Fe county;

4 (23) ninety thousand dollars (\$90,000) to
5 make improvements to the Santa Fe MEG senior center for the
6 meals on wheels program in Santa Fe county;

7 (24) five hundred thousand dollars
8 (\$500,000) to complete construction of the Magdalena senior
9 center in Socorro county;

10 (25) one hundred seventy-five thousand three
11 hundred seventy-seven dollars (\$175,377) to make improvements
12 to comply with the Americans with Disabilities Act of 1990 to
13 the Pueblo of Picuris senior center in Taos county;

14 (26) six thousand seven hundred dollars
15 (\$6,700) to make improvements to the Pueblo of Isleta senior
16 center in Bernalillo county;

17 (27) forty thousand dollars (\$40,000) to
18 make improvements at the North Valley senior center in
19 Bernalillo county;

20 (28) eleven thousand six hundred three
21 dollars (\$11,603) to purchase meals equipment for the Joy
22 senior centers in Chaves county;

23 (29) ten thousand three hundred ninety
24 dollars (\$10,390) to purchase equipment for the Pueblo of
25 Acoma senior center in Cibola county;

1 (30) eight thousand six hundred dollars
2 (\$8,600) to purchase equipment for the Pueblo of Acoma senior
3 center in Cibola county;

4 (31) thirteen thousand two hundred sixty
5 dollars (\$13,260) to purchase meals equipment for the Grants
6 senior center in Cibola county;

7 (32) ten thousand dollars (\$10,000) to make
8 improvements to the Maxwell senior center in Colfax county;

9 (33) twenty-five thousand dollars (\$25,000)
10 to purchase meals equipment for the Clovis senior center in
11 Curry county;

12 (34) three thousand five hundred dollars
13 (\$3,500) to purchase meals equipment for the Grady senior
14 center in Curry county;

15 (35) twenty-five thousand dollars (\$25,000)
16 to make improvements to the Anthony senior center in Dona Ana
17 county;

18 (36) five thousand five hundred dollars
19 (\$5,500) to purchase equipment for the Artesia senior center
20 in Eddy county;

21 (37) four thousand seven hundred fifty
22 dollars (\$4,750) to purchase meals equipment for the Puerto de
23 Luna senior center in Guadalupe county;

24 (38) twenty-seven thousand dollars (\$27,000)
25 to make improvements to the Santa Rosa senior center in

1 Guadalupe county;

2 (39) fifteen thousand two hundred fifty
3 dollars (\$15,250) to make improvements to the Puerto de Luna
4 senior center in Guadalupe county;

5 (40) five thousand seven hundred fifty-three
6 dollars (\$5,753) to purchase equipment for the Lordsburg and
7 Hidalgo-Ena Mitchell senior center in Hidalgo county;

8 (41) six thousand two hundred fifty dollars
9 (\$6,250) to make improvements to the Tatum senior center in
10 Lea county;

11 (42) four thousand dollars (\$4,000) to make
12 improvements to the Eunice senior center in Lea county;

13 (43) three thousand four hundred five
14 dollars (\$3,405) to purchase meals equipment for the Woolworth
15 senior center in Lea county;

16 (44) three thousand one hundred dollars
17 (\$3,100) to purchase meals equipment for the Lovington senior
18 center in Lea county;

19 (45) thirty thousand dollars (\$30,000) to
20 make improvements to the Ruidoso Downs senior center in
21 Lincoln county;

22 (46) fifteen thousand nine hundred ten
23 dollars (\$15,910) to purchase meals equipment for the Ruidoso
24 Downs senior center in Lincoln county;

25 (47) two thousand three hundred three

1 dollars (\$2,303) to purchase meals equipment for the Deming
2 and Luna senior center in Luna county;

3 (48) nine thousand five hundred dollars
4 (\$9,500) to make improvements to the Baca chapter senior
5 center of the Navajo Nation in McKinley county;

6 (49) forty-five thousand dollars (\$45,000)
7 to make improvements to the Casamero Lake chapter senior
8 center of the Navajo Nation in McKinley county;

9 (50) two thousand five hundred dollars
10 (\$2,500) to purchase equipment for the Gallup senior center in
11 McKinley county;

12 (51) four thousand six hundred dollars
13 (\$4,600) to purchase equipment for the Ramah and Thoreau
14 senior centers in McKinley county;

15 (52) eighteen thousand dollars (\$18,000) to
16 purchase meals equipment for the Gallup senior center in
17 McKinley county;

18 (53) eleven thousand five hundred seventy-
19 four dollars (\$11,574) to purchase meals equipment for the
20 Ramah and Thoreau senior centers in McKinley county;

21 (54) one thousand dollars (\$1,000) to
22 purchase meals equipment for the Prewitt senior center of the
23 Navajo Nation in McKinley county;

24 (55) two thousand five hundred twenty-four
25 dollars (\$2,524) to make improvements to the Mescalero senior

1 center in Otero county;

2 (56) ten thousand dollars (\$10,000) to make
3 improvements to the Pueblo of San Juan senior center in Rio
4 Arriba county;

5 (57) five thousand dollars (\$5,000) to make
6 improvements to the Pueblo of Santa Clara senior center in Rio
7 Arriba county;

8 (58) nineteen thousand dollars (\$19,000) to
9 purchase equipment for the Rio Arriba county senior centers in
10 Rio Arriba county;

11 (59) twenty-nine thousand dollars (\$29,000)
12 to purchase meals equipment for the senior centers in Rio
13 Arriba county;

14 (60) one thousand dollars (\$1,000) to
15 purchase meals equipment for the Pueblo of San Juan senior
16 center in Rio Arriba county;

17 (61) fourteen thousand five hundred seventy-
18 nine dollars (\$14,579) to make improvements to the Portales
19 senior center in Roosevelt county;

20 (62) two thousand eight hundred eighty
21 dollars (\$2,880) to purchase equipment for the meal site in
22 Roosevelt county;

23 (63) two thousand five hundred dollars
24 (\$2,500) to purchase meals equipment for the Congregate meal
25 site in Roosevelt county;

1 (64) two thousand sixty dollars (\$2,060) to
2 purchase meals equipment for the Pueblo of San Felipe senior
3 center in Sandoval county;

4 (65) two thousand five hundred dollars
5 (\$2,500) to purchase meals equipment for the Pueblo of Cochiti
6 senior center in Sandoval county;

7 (66) five thousand dollars (\$5,000) to make
8 improvements to the Pueblo of Jemez senior center in Sandoval
9 county;

10 (67) twenty thousand dollars (\$20,000) to
11 make improvements to the Jemez senior center in Sandoval
12 county;

13 (68) one hundred two thousand dollars
14 (\$102,000) to make improvements to the Pueblo of Cochiti
15 senior center in Sandoval county;

16 (69) four thousand dollars (\$4,000) to make
17 improvements to the Cuba senior center in Sandoval county;

18 (70) ten thousand four hundred ninety-nine
19 dollars (\$10,499) to purchase equipment for the Pueblo of San
20 Felipe senior center in Sandoval county;

21 (71) five thousand five hundred dollars
22 (\$5,500) to purchase meals equipment for the Bloomfield senior
23 center in San Juan county;

24 (72) six thousand seven hundred forty-five
25 dollars (\$6,745) to purchase meals equipment for the Blanco

1 senior center in San Juan county;

2 (73) twenty-one thousand three hundred
3 eighteen dollars (\$21,318) to make improvements to the Bonnie
4 Dallas senior center in San Juan county;

5 (74) two thousand one hundred dollars
6 (\$2,100) to make improvements to the countywide senior centers
7 in San Juan county;

8 (75) sixteen thousand three hundred seven
9 dollars (\$16,307) to make improvements to the Bloomfield
10 senior center in San Juan county;

11 (76) twelve thousand four hundred dollars
12 (\$12,400) to make improvements to the Aztec senior center in
13 San Juan county;

14 (77) twenty thousand dollars (\$20,000) to
15 make improvements to senior centers in Mora and San Miguel
16 counties;

17 (78) nine thousand one hundred ten dollars
18 (\$9,110) to purchase meals equipment for senior centers in
19 Mora and San Miguel counties;

20 (79) thirty thousand dollars (\$30,000) to
21 make improvements to the Pueblo of Nambe senior center in
22 Santa Fe county;

23 (80) thirty-two thousand nine hundred fifty
24 dollars (\$32,950) to purchase equipment for the Pueblo of San
25 Ildefonso senior center in Santa Fe county;

1 (81) nineteen thousand forty dollars
2 (\$19,040) to purchase equipment for the senior centers in
3 Santa Fe in Santa Fe county;

4 (82) fifty-nine thousand four hundred
5 dollars (\$59,400) to purchase meals equipment for the senior
6 centers in Santa Fe in Santa Fe county;

7 (83) two thousand dollars (\$2,000) to
8 purchase meals equipment for the Pueblo of Nambe senior center
9 in Santa Fe county;

10 (84) eighteen thousand dollars (\$18,000) to
11 purchase meals equipment for the Pueblo of San Ildefonso
12 senior center in Santa Fe county;

13 (85) twenty-five thousand five hundred four
14 dollars (\$25,504) to make improvements to the Socorro senior
15 center in Socorro county;

16 (86) nineteen thousand four hundred thirty-
17 seven dollars (\$19,437) to make improvements to senior centers
18 in Taos county;

19 (87) seventeen thousand six hundred dollars
20 (\$17,600) to purchase meals equipment for senior centers in
21 Valencia county;

22 (88) thirty-five thousand dollars (\$35,000)
23 to purchase equipment for the area agency on aging planning
24 service areas 2 and 4 in multiple counties;

25 (89) one million dollars (\$1,000,000) to

1 purchase information technology and infrastructure for senior
2 centers statewide;

3 (90) seven thousand dollars (\$7,000) to
4 purchase meals equipment for senior centers in Union county;

5 (91) fifty thousand dollars (\$50,000) to
6 make improvements to the Pueblo of Picuris senior center in
7 Taos county; and

8 (92) one thousand seven hundred thirty
9 dollars (\$1,730) for meals equipment at the Eunice senior
10 center in Lea county;

11 B. for higher education capital improvements and
12 acquisitions, to the commission on higher education:

13 (1) four million four hundred ten thousand
14 dollars (\$4,410,000) for information technology and
15 infrastructure at institutions of higher learning and
16 constitutional special schools statewide;

17 (2) two million three hundred thousand
18 dollars (\$2,300,000) for phase 2 upgrades of public television
19 digital equipment to meet federal communications commission
20 mandates for KNME's digital channel;

21 (3) one million seven hundred eighty-nine
22 thousand five hundred forty-eight dollars (\$1,789,548) for
23 health and safety improvements to comply with the Americans
24 with Disabilities Act of 1990 at institutions of higher
25 learning and constitutional special schools statewide;

1 (4) seven million dollars (\$7,000,000) to
2 plan, design, construct and equip the westside classroom
3 addition at Albuquerque technical-vocational institute in
4 Bernalillo county;

5 (5) four hundred forty thousand dollars
6 (\$440,000) for electrical distribution and deferred
7 maintenance upgrades at Albuquerque technical-vocational
8 institute in Bernalillo county;

9 (6) five hundred thousand dollars (\$500,000)
10 to plan, design, construct and equip a classroom addition at
11 Clovis community college in Curry county;

12 (7) one hundred fifty thousand dollars
13 (\$150,000) for infrastructure renovation and expansion at
14 Clovis community college in Curry county;

15 (8) one hundred seventy-five thousand
16 dollars (\$175,000) for infrastructure renovation and expansion
17 at eastern New Mexico university's Roswell campus in Chaves
18 county;

19 (9) three million dollars (\$3,000,000) to
20 plan, design, construct and equip the health sciences center
21 at eastern New Mexico university's Roswell campus in Chaves
22 county;

23 (10) one hundred thousand dollars (\$100,000)
24 for infrastructure improvements at eastern New Mexico
25 university's Ruidoso campus in Lincoln county;

1 (11) seven hundred fifty thousand dollars
2 (\$750,000) to plan, design and construct phase 1 of the
3 instruction center expansion at eastern New Mexico
4 university's Ruidoso campus in Lincoln county;

5 (12) seven hundred thousand dollars
6 (\$700,000) to plan, design, construct and equip a science
7 building at eastern New Mexico university in Portales in
8 Roosevelt county;

9 (13) five hundred thousand dollars
10 (\$500,000) for upgrading campus infrastructure and addressing
11 deferred maintenance needs at eastern New Mexico university in
12 Portales in Roosevelt county;

13 (14) six million three hundred thousand
14 dollars (\$6,300,000) to plan, design, construct and equip a
15 science education facility at the eastern New Mexico
16 university campus in Roosevelt county;

17 (15) two hundred thirty thousand dollars
18 (\$230,000) for infrastructure improvements for the electrical
19 distribution and energy management systems at Luna vocational-
20 technical institute in Las Vegas in San Miguel county;

21 (16) one million dollars (\$1,000,000) to
22 plan, design, construct and equip the renovation of the
23 business occupations building at Luna vocational-technical
24 institute in Las Vegas in San Miguel county;

25 (17) eighty-eight thousand dollars (\$88,000) HTRC/HB 294
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1 for infrastructure renovation and improvements at Mesalands
2 community college in Tucumcari in Quay county;

3 (18) six hundred thousand dollars (\$600,000)
4 to plan, design and construct phase 2 of a building addition
5 at Mesalands community college in Tucumcari in Quay county;

6 (19) three million dollars (\$3,000,000) to
7 plan, design, construct, equip and furnish the renovation of
8 the old science building and annex at New Mexico highlands
9 university in Las Vegas in San Miguel county;

10 (20) four hundred thousand dollars
11 (\$400,000) for infrastructure renovation and expansion at New
12 Mexico highlands university in Las Vegas in San Miguel county;

13 (21) two million five hundred thousand
14 dollars (\$2,500,000) to plan, design and construct
15 improvements to the dormitories at New Mexico highlands
16 university in Las Vegas in San Miguel county;

17 (22) three million five hundred thousand
18 dollars (\$3,500,000) to renovate Kelly and Jones halls at New
19 Mexico institute of mining and technology in Socorro in
20 Socorro county;

21 (23) seven hundred fifty thousand dollars
22 (\$750,000) for infrastructure renovation and expansion at New
23 Mexico institute of mining and technology in Socorro in
24 Socorro county;

25 (24) one hundred forty thousand dollars

1 (\$140,000) for infrastructure improvements at New Mexico
2 junior college in Hobbs in Lea county;

3 (25) three million one hundred thousand
4 dollars (\$3,100,000) to plan, design, construct and equip the
5 workforce instructional training center at New Mexico junior
6 college in Hobbs in Lea county;

7 (26) one million dollars (\$1,000,000) for
8 the cowboy hall of fame at New Mexico junior college in Hobbs
9 in Lea county;

10 (27) four hundred fifty thousand dollars
11 (\$450,000) for infrastructure renovation and expansion at New
12 Mexico military institute in Roswell in Chaves county;

13 (28) one million three hundred thousand
14 dollars (\$1,300,000) to plan, design, construct and equip the
15 renovation of McClure hall at New Mexico military institute in
16 Roswell in Chaves county;

17 (29) one hundred ninety thousand dollars
18 (\$190,000) for health, safety and accessibility improvements
19 at New Mexico school for the deaf in Santa Fe in Santa Fe
20 county;

21 (30) six million dollars (\$6,000,000) to
22 renovate Hester hall at New Mexico school for the deaf in
23 Santa Fe in Santa Fe county;

24 (31) one hundred seventy-five thousand
25 dollars (\$175,000) for infrastructure renovation and expansion

1 at New Mexico state university's Grants campus in Cibola
2 county;

3 (32) two million dollars (\$2,000,000) for
4 infrastructure renovation and expansion at New Mexico state
5 university in Las Cruces in Dona Ana county;

6 (33) three million five hundred thousand
7 dollars (\$3,500,000) to plan, design, construct and equip
8 phase 3 of the East Mesa center at New Mexico state
9 university's Dona Ana campus in Las Cruces in Dona Ana county;

10 (34) nine million five hundred thousand
11 dollars (\$9,500,000) to renovate and expand O'Donnell hall at
12 New Mexico state university in Las Cruces in Dona Ana county;

13 (35) two hundred twenty-five thousand
14 dollars (\$225,000) for infrastructure renovation and expansion
15 at New Mexico state university's Dona Ana community college's
16 central campus in Dona Ana county;

17 (36) eighty thousand dollars (\$80,000) for
18 infrastructure renovation and expansion at New Mexico state
19 university's Carlsbad campus in Eddy county;

20 (37) two hundred eighty thousand dollars
21 (\$280,000) for infrastructure renovation and expansion at New
22 Mexico state university's Alamogordo campus in Otero county;

23 (38) two hundred forty thousand dollars
24 (\$240,000) for health, safety and accessibility improvements
25 at the New Mexico school for the visually handicapped in

1 Alamogordo in Otero county;

2 (39) six hundred thousand dollars (\$600,000)
3 to plan, design, construct and equip the automotive technology
4 building at northern New Mexico state school in Espanola in
5 Rio Arriba county;

6 (40) two hundred sixty thousand dollars
7 (\$260,000) for infrastructure renovation and site improvements
8 at northern New Mexico state school in Espanola in Rio Arriba
9 county;

10 (41) three hundred twenty thousand dollars
11 (\$320,000) for infrastructure and health and safety
12 improvements at Santa Fe community college in Santa Fe county;

13 (42) two million dollars (\$2,000,000) to
14 plan, design, construct and equip the renovation of the trades
15 and technology facilities at San Juan college in Farmington in
16 San Juan county;

17 (43) three hundred fifty thousand dollars
18 (\$350,000) for infrastructure upgrades and site improvements
19 at San Juan college in Farmington in San Juan county;

20 (44) two million dollars (\$2,000,000) for
21 patient care equipment at the health sciences center at the
22 university of New Mexico in Albuquerque in Bernalillo county;

23 (45) three million dollars (\$3,000,000) for
24 core building renovation of existing facilities at the
25 university of New Mexico in Albuquerque in Bernalillo county;

1 (46) eight million dollars (\$8,000,000) to
2 plan, design, construct and equip the health sciences center
3 anatomy laboratories at the university of New Mexico in
4 Albuquerque in Bernalillo county;

5 (47) four million dollars (\$4,000,000) to
6 plan, design, construct and equip the centennial engineering
7 center at the university of New Mexico in Albuquerque in
8 Bernalillo county;

9 (48) two hundred thousand dollars (\$200,000)
10 to install equipment for a clean room at the university of New
11 Mexico in Albuquerque in Bernalillo county;

12 (49) eighty-five thousand dollars (\$85,000)
13 for infrastructure renovation and expansion at the university
14 of New Mexico's Los Alamos branch in Los Alamos county;

15 (50) three hundred fifty thousand dollars
16 (\$350,000) to plan, design, construct and equip a maintenance
17 plant operations building at the university of New Mexico's
18 Los Alamos campus in Los Alamos county;

19 (51) one million dollars (\$1,000,000) to
20 plan, design, construct and equip the expansion of the health
21 career center at the university of New Mexico's Gallup campus
22 in McKinley county;

23 (52) two hundred sixty thousand dollars
24 (\$260,000) for infrastructure improvements at the university
25 of New Mexico's Gallup branch in McKinley county;

1 (53) one million five hundred thousand
2 dollars (\$1,500,000) to plan, design, construct and equip
3 phase 4 of the education center, library, student center and
4 trades facility at the university of New Mexico's Taos campus
5 in Taos county;

6 (54) fifty thousand dollars (\$50,000) for
7 infrastructure improvements at the university of New Mexico's
8 Valencia campus in Los Lunas in Valencia county;

9 (55) five hundred thousand dollars
10 (\$500,000) to plan, design, construct and equip the expansion
11 of the vocational facility at the university of New Mexico's
12 Valencia campus in Los Lunas in Valencia county;

13 (56) four hundred ninety thousand dollars
14 (\$490,000) for infrastructure renovation and expansion at
15 western New Mexico university in Silver City in Grant county;
16 and

17 (57) one million two hundred fifty thousand
18 dollars (\$1,250,000) to plan, design, construct and equip a
19 classroom addition to Harlan hall at western New Mexico
20 university in Silver City in Grant county;

21 C. for library acquisitions:

22 (1) to the commission on higher education,
23 three million eight hundred eighty-eight thousand dollars
24 (\$3,888,000) for supplemental library resource acquisitions
25 for state academic libraries statewide;

1 (2) to the office of cultural affairs:

2 (a) five million eight hundred thirty-
3 two thousand dollars (\$5,832,000) for supplemental library
4 resource acquisitions, including books, equipment and
5 resources, for public libraries statewide; and

6 (b) three hundred twenty-four thousand
7 dollars (\$324,000) to acquire library books, equipment and
8 library materials for the state library and the Angelico
9 Chavez history library; and

10 (3) to the public education department, six
11 million one hundred fifty-six thousand dollars (\$6,156,000) to
12 acquire supplemental library books, equipment and library
13 resources for public school and juvenile detention libraries
14 statewide; and

15 D. for full-day kindergarten projects, to the
16 public education department:

17 (1) two million two hundred seventy-seven
18 thousand four hundred dollars (\$2,277,400) for ~~the~~
19 ~~construction of portable classrooms and classroom renovations~~
20 for full-day kindergarten in the Albuquerque public school
21 district in Bernalillo county;

22 (2) fifty-seven thousand eight hundred
23 twenty dollars (\$57,820) to construct a ~~portable~~ classroom for
24 full-day kindergarten in the Reserve independent school
25 district in Catron county;

1 (3) fifty-seven thousand eight hundred
2 twenty dollars (\$57,820) to construct a ~~portable~~ classroom for
3 full-day kindergarten in the Maxwell municipal school district
4 in Colfax county;

5 (4) fifty-seven thousand eight hundred
6 twenty dollars (\$57,820) to construct a ~~portable~~ classroom for
7 full-day kindergarten in the Texico municipal school district
8 in Curry county;

9 (5) ninety-three thousand nine hundred
10 eighty dollars (\$93,980) to construct ~~portable~~ classrooms for
11 full-day kindergarten in the Clovis municipal school district
12 in Curry county;

13 (6) fifty-seven thousand eight hundred
14 twenty dollars (\$57,820) to construct a ~~portable~~ classroom for
15 full-day kindergarten in the Fort Sumner municipal school
16 district in De Baca county;

17 (7) one hundred seventy-four thousand six
18 hundred forty dollars (\$174,640) to construct ~~portable~~
19 classrooms for full-day kindergarten in the Gadsden
20 independent school district in Dona Ana county;

21 (8) one hundred forty-five thousand one
22 hundred forty dollars (\$145,140) to construct ~~portable~~
23 classrooms for full-day kindergarten in the Las Cruces public
24 school district in Dona Ana county;

25 (9) one hundred forty-five thousand one

1 hundred forty dollars (\$145,140) to construct portable
2 classrooms for full-day kindergarten in the Hobbs municipal
3 school district in Lea county;

4 (10) fifty-seven thousand eight hundred
5 twenty dollars (\$57,820) to construct portable classrooms for
6 full-day kindergarten in the Ruidoso municipal school district
7 in Lincoln county;

8 (11) three hundred twenty-four thousand five
9 hundred dollars (\$324,500) to construct portable classrooms
10 for full-day kindergarten in the Los Alamos public school
11 district in Los Alamos county;

12 (12) one hundred forty-five thousand one
13 hundred forty dollars (\$145,140) to construct portable
14 classrooms for full-day kindergarten in the Espanola public
15 school district in Rio Arriba county;

16 (13) fifty-seven thousand eight hundred
17 twenty dollars (\$57,820) to construct a portable classroom for
18 full-day kindergarten in the Portales municipal school
19 district in Roosevelt county;

20 (14) one hundred forty-five thousand one
21 hundred forty dollars (\$145,140) to construct portable
22 classrooms for full-day kindergarten in the Farmington
23 municipal school district in San Juan county;

24 (15) one hundred forty-five thousand one
25 hundred forty dollars (\$145,140) to construct portable

1 classrooms for full-day kindergarten in the west Las Vegas
2 public school district in San Miguel county;

3 (16) six hundred forty-nine thousand dollars
4 (\$649,000) to construct ~~portable~~ classrooms for full-day
5 kindergarten in the Rio Rancho public school district in
6 Sandoval county;

7 (17) sixty-four thousand four hundred eighty
8 dollars (\$64,480) to construct a ~~portable~~ classroom for full-
9 day kindergarten in the Cuba independent school district in
10 Sandoval county;

11 (18) two hundred eighty-five thousand five
12 hundred sixty dollars (\$285,560) to construct ~~portable~~
13 classrooms for full-day kindergarten in the Santa Fe public
14 school district in Santa Fe county; and

15 (19) fifty-seven thousand eight hundred
16 twenty dollars (\$57,820) to construct a ~~portable~~ classroom for
17 full-day kindergarten in the Socorro consolidated school
18 district in Socorro county.

19 Section 11. ELECTION.--

20 A. Bonds issued pursuant to the 2004 Capital
21 Projects General Obligation Bond Act shall be submitted to the
22 registered voters of the state at the general election to be
23 held in November 2004, and, if they receive a majority of all
24 the votes cast thereon at such election, shall take effect
25 upon certification of the state canvassing board announcing

1 the results of such election. No bonds shall be issued or
2 sold under the 2004 Capital Projects General Obligation Bond
3 Act until the registered voters of this state have voted upon
4 and approved the bonds and property tax as provided in this
5 section. Any bonds issued under that act shall be issued
6 within thirty months from the date of such election.

7 B. The ballots used at the 2004 general election
8 shall contain substantially the following language:

9 (1) "The 2004 Capital Projects General
10 Obligation Bond Act authorizes the issuance and sale of senior
11 citizen facility improvement and construction bonds. Shall
12 the state be authorized to issue general obligation bonds in
13 an amount not to exceed six million sixty-three thousand
14 dollars (\$6,063,000) to make capital expenditures for certain
15 senior citizen facility improvements and construction projects
16 and provide for a general property tax imposition and levy for
17 the payment of principal of, interest on and expenses incurred
18 in connection with the issuance of the bonds and the
19 collection of the tax as permitted by law?

20 For _____ Against _____";

21 (2) "The 2004 Capital Projects General
22 Obligation Bond Act authorizes the issuance and sale of higher
23 educational capital improvement and acquisition bonds. Shall
24 the state be authorized to issue general obligation bonds in
25 an amount not to exceed ninety-four million eight hundred

1 ninety-two thousand dollars (\$94,892,000) to make capital
2 expenditures for certain higher educational capital
3 improvements and acquisitions and provide for a general
4 property tax imposition and levy for the payment of principal
5 of, interest on and expenses incurred in connection with the
6 issuance of the bonds and the collection of the tax as
7 permitted by law?

8 For _____ Against _____";

9 (3) "The 2004 Capital Projects General
10 Obligation Bond Act authorizes the issuance and sale of
11 library acquisition bonds. Shall the state be authorized to
12 issue general obligation bonds in an amount not to exceed
13 sixteen million three hundred fifteen thousand dollars
14 (\$16,315,000) to make capital expenditures for public library
15 acquisitions and provide for a general property tax imposition
16 and levy for the payment of principal of, interest on and
17 expenses incurred in connection with the issuance of the bonds
18 and the collection of the tax as permitted by law?

19 For _____ Against _____";

20 and

21 (4) "The 2004 Capital Projects General
22 Obligation Bond Act authorizes the issuance and sale of
23 kindergarten classroom construction and renovation bonds.
24 Shall the state be authorized to issue general obligation
25 bonds in an amount not to exceed five million one hundred

1 thousand dollars (\$5,100,000) to make capital expenditures for
2 certain construction and renovation projects and provide for a
3 general property tax imposition and levy for the payment of
4 principal of, interest on and expenses incurred in connection
5 with the issuance of the bonds and the collection of the tax
6 as permitted by law?

7 For _____ Against _____".

8 C. Each question set forth in this section
9 includes a specific work or object to be financed by the
10 bonds. If any such question is not approved by a majority
11 vote of the electorate at the state's 2004 general election,
12 the issuance of bonds for the work or object specified by the
13 question shall be excluded from and shall not be part of the
14 2004 Capital Projects General Obligation Bond Act. The
15 failure of a question to be approved by the electorate at the
16 2004 general election shall not affect those questions that
17 are approved at the election.

18 D. The secretary of state shall include the
19 submission of the capital projects general obligation bonds to
20 the people at the 2004 general election, and it shall be
21 included in the general election proclamation of each of the
22 county clerks. The secretary of state shall cause the 2004
23 Capital Projects General Obligation Bond Act to be published
24 in full in at least one newspaper in each county of the state
25 if one be published therein, once each week, for four

1 successive weeks next preceding the general election as
2 required by the constitution of New Mexico.

3 Section 12. ART IN PUBLIC PLACES.--Pursuant to Section
4 13-4A-4 NMSA 1978 and where applicable, the appropriations
5 authorized in the 2004 Capital Projects General Obligation
6 Bond Act include money for the art in public places fund.

7 Section 13. CERTIFICATION AND REVERSION.--

8 A. The agencies named in the 2004 Capital Projects
9 General Bond Obligation Act shall certify to the state board
10 of finance when the money from the proceeds of the general
11 obligation bonds authorized in that act is needed for the
12 purposes specified in Section 10 of that act. If an agency
13 has not certified the need for the issuance of the bonds for a
14 particular project by the end of fiscal year 2005, the
15 authorization for that project is void.

16 B. Before an agency may certify for the issuance
17 of general obligation bonds, the project must be developed
18 sufficiently so that the agency reasonably expects to:

19 (1) incur within six months after the
20 applicable bonds have been issued a substantial binding
21 obligation to a third party to expend at least five percent of
22 the bond proceeds for the project; and

23 (2) spend at least eighty-five percent of
24 the bond proceeds within three years after the bonds have been
25 issued.

1 C. Except as provided in the 2004 Capital Projects
2 General Bond Obligation Act, any money remaining in the
3 project account established for that project by the state
4 board of finance from the proceeds of general obligation bonds
5 issued for that project shall revert to the debt service fund
6 established by the state treasurer for the purpose of paying
7 the principal and interest on the state's general obligation
8 bonds as follows:

9 (1) for projects for which general
10 obligation bonds were issued to match federal grants, six
11 months after completion of the project;

12 (2) for projects for which general
13 obligation bonds were issued to purchase vehicles, heavy
14 equipment, educational technology or other equipment or
15 furniture that is not related to a more inclusive construction
16 or renovation project, as of the first day after the end of
17 the fiscal year following the fiscal year in which the general
18 obligation bonds were issued for the purchase after reserving
19 for unpaid costs and expenses covered by binding written
20 obligations to third parties, but in any event, regardless of
21 whether there are unpaid costs and expenses covered by binding
22 written obligations to third parties, as of the first day
23 after the end of the second fiscal year following the fiscal
24 year in which the general obligation bonds were issued;

25 (3) for projects for which general

1 obligation bonds were issued to purchase emergency vehicles or
2 other vehicles that require special equipment, as of the first
3 day after the end of the second fiscal year following the
4 fiscal year in which the general obligation bonds were issued
5 for the purchase, after reserving for unpaid costs and
6 expenses covered by binding written obligations to third
7 parties;

8 (4) for all other projects for which general
9 obligation bonds were issued, as of the first day after the
10 end of the third fiscal year following the fiscal year in
11 which the general obligation bonds were issued for the
12 project, after reserving for unpaid costs and expenses covered
13 by binding written obligations to the third parties, but in
14 any event, regardless of whether there are unpaid costs and
15 expenses covered by binding written obligations to third
16 parties, as of the first day after the end of the fourth
17 fiscal year following the fiscal year in which the general
18 obligation bonds were issued; and

19 (5) if completion of the project occurs
20 earlier than the reversion dates specified in Paragraphs (2),
21 (3) and (4) of this subsection, within six months after
22 completion of the project.

23 D. Except for appropriations to the capital
24 program fund, money from general obligation bond proceeds
25 provided pursuant to the 2004 Capital Projects General

1 Obligation Bond Act shall not be used to pay indirect project
2 costs.

3 E. The state board of finance may in its
4 discretion delay the reversion dates provided pursuant to this
5 section for a period of not more than one additional year for
6 any project upon a proper showing by the agency that:

7 (1) the agency has acted diligently to spend
8 the bond proceeds before the reversion date; and

9 (2) all money remaining in the project
10 account for that project is covered by binding written
11 obligations to third parties.

12 F. Each agency shall cause to be included in any
13 contract with third parties relating to the expenditure of
14 proceeds of the general obligation bonds authorized by the
15 2004 Capital Projects General Obligation Bond Act the
16 reversion provisions contained in this section.

17 Section 14. PROJECT SCOPE--EXPENDITURES--REVERSION.--

18 A. If an appropriation for a project authorized in
19 the 2004 Capital Projects General Obligation Bond Act is not
20 sufficient to complete all the purposes specified, the
21 appropriation may be expended for any portion of the purposes
22 specified in the appropriation. Expenditures shall not be
23 made for purposes other than those specified in the
24 appropriation.

25 B. The state agencies and state institutions to

1 which money has been appropriated in the 2004 Capital Projects
2 General Obligation Bond Act shall be responsible for
3 monitoring the projects funded in that act to ensure
4 compliance with the constitution and laws of New Mexico, and
5 shall cause to be reverted any money remaining in project
6 accounts in accordance with Section 13 of the 2004 Capital
7 Projects General Obligation Bond Act.

8 Section 15. Laws 2002, Chapter 93, Section 14 is
9 amended to read:

10 "Section 14. PROJECT SCOPE--EXPENDITURES--REVERSION.--

11 A. If an appropriation for a project authorized in
12 the 2002 Capital Projects General Obligation Bond Act is not
13 sufficient to complete all the purposes specified, the
14 appropriation may be expended for any portion of the purposes
15 specified in the appropriation. Expenditures shall not be
16 made for purposes other than those specified in the
17 appropriation.

18 B. The state agencies and state institutions to
19 which money has been appropriated in the 2002 Capital Projects
20 General Obligation Bond Act shall be responsible for
21 monitoring the projects funded in that act to ensure
22 compliance with the constitution and laws of New Mexico, and
23 shall cause to be reverted any unexpended balance from the
24 proceeds of general obligation bonds issued for projects in
25 accordance with Section 12 of the 2002 Capital Projects

1 General Obligation Bond Act."

2 Section 16. SEVERABILITY.--If any part or application
3 of the 2004 Capital Projects General Obligation Bond Act is
4 held invalid, the remainder or its application to other
5 situations or persons shall not be affected.

6 Section 17. EMERGENCY.--It is necessary for the public
7 peace, health and safety that this act take effect
8 immediately.

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